

MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

CR-08-00014-002

May 29, 2008
9:25 a.m.

UNITED STATES OF AMERICA -vs- LAWRENCE SABLAN KALEN

PRESENT: HON. ALEX R. MUNSON, CHIEF JUDGE PRESIDING
K. LYNN LEMIEUX, COURTROOM DEPUTY
SANA E SHMULL, COURT REPORTER
ERIC O'MALLEY, ASSISTANT U.S. ATTORNEY
BRUCE BERLINE, COURT APPOINTED COUNSEL
LAWRENCE SABLAN KALEN, DEFENDANT

PROCEEDINGS: MOTION FOR REVIEW AND REVOCATION OF DETENTION ORDER

Defendant **LAWRENCE SABLAN KALEN** appeared with court appointed counsel, Attorney Bruce Berline. Government was represented by Eric O'Malley, AUSA.

Court inquired as to whether the Probation Office had been notified about a possible third-party custodian for this defendant. Attorney Berline stated that he had failed to notify Probation.

Attorney Berline argued the motion for revocation of detention.

Attorney Berline called potential third-party custodian:

RESLY JOHNNY KALEN. DX. CX.

Court found that Ms. Kalen qualified as a third-party custodian pending the U.S. Probation Office investigation.

Court ordered the defendant released on the following conditions:

- 1) That the defendant remain under the custody of a Court approved third party custodian;
- 2) That the defendant shall submit to pretrial services supervision under the direction of the United States Probation Office and abide by all standard conditions and that he must report at any time as requested;
- 3) The defendant must not leave the island of Saipan without written permission from the Court;

- 4) That the defendant must not change his residence without first notifying the Court;
- 5) That the defendant shall not commit any offense in violation of federal, state or local law while on release in this case;
- 6) That the defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.
- 7) That the defendant execute an unsecured bond in the amount of \$5,000;
- 8) That the defendant shall surrender his passport and any other travel documents and not obtain any other travel documents or passport;
- 9) That the defendant refrain from possessing firearms, destructive device, or other dangerous weapons, or to have at residence;
- 10) That he refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 USC 802, unless prescribed by a licensed medical practitioner licensed in the CNMI;
- 11) That he submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing;
- 12) That the defendant shall participate in the electronic monitoring program and abide by all the requirements of that program. That the defendant shall have a curfew from 6:00 p.m. to 6:00 a.m. ;
- 13) That the defendant shall refrain from any and all alcohol; and
- 14) That the defendant shall avoid any and all contact with any witness or victim related to this case unless in the presence of his attorney and for the purpose of preparing for his defense.

Attorney Berline submitted the defendant's passport to the Courtroom Deputy.

Court ordered the defendant back into the custody of the U.S. Marshal until further order of the Court.

Adj. 9:50 a.m.

/s/K. Lynn Lemieux, Courtroom Deputy